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EXAMINER
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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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*Ex parte* SIGNATURE SYSTEMS LLC,  
Patent Owner and Appellant

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Appeal 2017-005539  
Reexamination Control 96/000,132  
Patent 8,600,807 B1  
Technology Center 3900

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Before MARC S. HOFF, STEPHEN C. SIU, and DENISE M. POTHIER,  
*Administrative Patent Judges.*

SIU, *Administrative Patent Judge.*

DECISION ON APPEAL

This proceeding arose out of a request for Supplemental Examination of U.S. Patent No. 8,600,807 B1 (“the ’807 patent”) to Richard Postrel, entitled METHOD AND SYSTEM FOR ELECTRONIC EXCHANGE OF REWARD POINTS, issued December 3, 2013.

Patent Owner appeals under 35 U.S.C. §§ 134 and 306 from the Examiner’s Final Rejection of claims 1–3, 6–9, and 12. App. Br. 1.<sup>1</sup> Claims 4, 5, 11, and 12 have been canceled. *Id.* at 29, 32. We have jurisdiction under 35 U.S.C. § 6(b).

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<sup>1</sup> Appeal Brief, filed October 11, 2016 (“App. Br.”).

The disclosed invention relates generally to processing award points in award programs. *See* Spec. 3:47–49.

Claim 1 reads as follows:

1. A computer-implemented method of exchanging rewards comprising:

communicating, by a reward exchange computer, over a computer network with a reward server computer that stores a plurality of reward accounts, each of said reward accounts associated with a different user and comprising a plurality of first sets of reward points of a first type earned by a user from a first reward issuing entity as a result of a plurality of first transactions using a credit card linked to a credit card reward program of the first reward issuing entity;

storing, by the reward exchange computer, in a reward exchange account a second set of reward points of a second type earned by the user as a result of a second transaction executed between the user and a second reward issuing entity which is different from the first reward issuing entity; and

accepting communication, by the reward exchange computer, over the computer network from the reward server computer for exchanging a quantity of reward points of the first type, the quantity designated by the user operating a user computer, from the reward account on the reward server computer into reward points of the second type for adding to the reward exchange account on the reward exchange computer by:

converting a quantity of reward points of the first type that have been designated by the user to be decreased from the reward account on the reward server computer into a corresponding amount of reward points of the second type at a predetermined reward server conversion rate,

adding the corresponding amount of reward points of the second type to the reward exchange account,

combining the corresponding amount of reward points of the second type added to the reward exchange account with the second set of reward points of the second type previously stored in the reward exchange account, and

receiving consideration from the reward server computer, the consideration having a value equivalent to the quantity of reward points of the first type decreased from the reward account on the reward server computer.

Appellant appeals the Examiner's rejection of claims 1–3, 6–9, and 12 under 35 U.S.C. § 101 as being directed to non-statutory subject matter. App. Br. 8.

#### ISSUE

Did the Examiner err in rejecting claims 1–3, 6–9, and 12?

#### ANALYSIS

Claim 1 recites a method comprising “communication” between a computer and a server over a network in which the computer stores two “types” of “reward points” earned by a user and, based on a request from the user, “exchang[es] a quantity of” the first type of “reward points” for a corresponding quantity of “the second type” of “reward points.” Hence, claim 1 recites manipulation of “reward points,” including “converting,” “adding,” and “combining” values of reward points (i.e., a “quantity” of reward points). The Examiner finds that claims 1–3, 6–9, and 12 are unpatentable as being directed to non-statutory subject matter under 35 U.S.C. § 101. Final Act. 25–30; *see also* Final Act. 13–25 and Ans. 4–22.

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We agree with the Examiner for at least the reasons set forth by the Examiner.

At the outset, we note that claim 1 is directed to a process. Thus, we further consider whether the claim is directed to a judicially recognized exception, such as an abstract idea, and if so, whether the claim recites additional elements that amount to significantly more than the judicial exception. For example, following the “framework for distinguishing patents that claim . . . abstract ideas from those that claim patent-eligible applications of those concepts” as set forth by the U.S. Supreme Court in *Alice Corp. Pty. Ltd. v. CLS Bank Int’l*, 134 S. Ct. 2347 (2014), we first “determine whether the claims at issue are directed to [a] patent-ineligible concept[]” and, “[i]f so, we then ask, ‘[w]hat else is there in the claims before us?’” in order “to determine whether the additional elements ‘transform the nature of the claim’ into a patent-eligible application.” *Alice*, 134 S. Ct. at 2355 (internal citation omitted).

In *Alice*, claims were directed to a “computer-implemented scheme for mitigating ‘settlement risk’ . . . by using . . . a third-party intermediary” including creating “records (*i.e.*, account ledgers),” “updat[ing] the . . . records,” “allowing ‘only those transactions for which . . . updated . . . records indicate sufficient resources . . . [’],” and “instruct[ing] the relevant financial institutions to carry out the ‘permitted’ transactions in accordance with the updated . . . records.” *Alice*, 134 S. Ct. at 2351–2353 (internal citation omitted). The Court held that such claims “are drawn to [an]

abstract idea” based on similarities between the claimed “intermediated settlement” and claims in other matters previously held to be unpatentable as “abstract ideas.” *Alice*, 134 S. Ct. at 2355–2356 (concluding that “[i]t follows from our prior cases, and *Bilski* in particular, that the claims at issue here are directed to an abstract idea”).<sup>2</sup> In particular, the Court noted sufficient similarity of the “intermediated settlement” claims in *Alice* to claim features previously determined to be “abstract ideas” of “an algorithm for converting binary-coded decimal numerals into pure binary form” (*Alice*, 134 S. Ct. at 2355 (citing *Benson*, 409 U.S. at 67, 71–72)), a method for “adjust[ing] alarm limits for certain operating conditions” (*Alice*, 134 S. Ct. at 2358 (citing *Flook*, 437 U.S. at 585–86), or a “method for hedging against the financial risk of price fluctuations” including “initiating” transactions, “identifying market participants” and “initiating a series of [other] transactions . . . to balance the risk.” *Alice*, 134 S. Ct. at 2355–2356 (citing *Bilski*, 561 U.S. at 599).

Based on this guidance, claims directed to any of converting, adjusting, creating, or updating data (and any similar such actions on data) constitute an “abstract idea” and, therefore, are to be held to be non-statutory subject matter under 35 U.S.C. § 101. Claim 1 in the present matter recites communicating, storing, accepting and exchanging data. The claimed

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<sup>2</sup> With respect to this issue, the Court cited *Gottschalk v. Benson*, 409 U.S. 63 (1972); *Parker v. Flook*, 437 U.S. 584 (1978); and *Bilski v. Kappos*, 561 U.S. 593 (2010).

“exchanging” data further includes converting, adding, combining, and receiving data. We agree with the Examiner that each of these claimed actions performed on data are sufficiently similar to at least one of mitigating, creating, updating (*Alice*), converting (*Benson*), adjusting (*Flook*), hedging, initiating, and/or identifying data (*Bilski*), each of which the Court informs us constitutes an “abstract idea” that is unpatentable under 35 U.S.C. § 101.

Subsequent to the decision of the Supreme Court in *Alice*, the Federal Circuit further instructs that claims reciting various other claim terms pertaining to the manipulation of data constitute “abstract ideas” and are to be considered unpatentable under 35 U.S.C. § 101. These include claims directed to “collecting, displaying, and manipulating data,” “recognizing certain data within [a] set,” “storing . . . data in a memory,” “extracting data . . . , entering the data into . . . fields,” “customizing information,” “presenting [data] to users,” as well as claims that “recit[e] similar data manipulation steps,” even if the claims in question “limit[] the invention to a technological environment”;<sup>3</sup> claims drawn to “collect[ing], classify[ing], or otherwise filter[ing] data,” and the “creation of [data] used to search and retrieve information” even if the claims in question recite specific types of data;<sup>4</sup> claims drawn to generating and transmitting data, even if such data

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<sup>3</sup> *Intellectual Ventures I LLC v. Capital One Financial Corp.*, No. 2016-1077, 2017 WL 900031, at \*5 (Fed. Cir. March 7, 2017).

<sup>4</sup> *Intellectual Ventures I LLC v. Erie Indemnity Co.*, Nos. 2016-1128, 2016-1132, 2017 WL 900018, at \*7 (Fed. Cir. March 7, 2017).

includes categories and items or if the data is stored on a data storage device, or claims drawn to other actions deemed to be “commonly known”;<sup>5</sup> claims drawn to “receiving [data], characterizing [the data] based on [other data], . . . communicating the [data]” or “filtering” data, or any other action deemed to “not ‘improve the functioning of the computer itself’” or constitute “generic computers to perform generic computer functions”;<sup>6</sup> claims drawn to “classifying [data] and storing the [data] based on its classification,” or any actions that do not contribute to the “improvement [of] the functioning of a computer” and “simply add[] conventional computer components to well-known business practices”;<sup>7</sup> claims drawn to “retaining information” or any claim that “contains no restriction on how the result is accomplished”;<sup>8</sup> claims drawn to “collecting,” “recognizing,” or “storing” data even if the claims also “limit[] the abstract idea . . . to a particular technological environment”;<sup>9</sup> claims drawn to “receiving,” selecting,” “offering,” “restricting access,” “facilitating display,” or “updating” data, as well as

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<sup>5</sup> *Apple, Inc. v. Ameranth, Inc.*, 842 F.3d 1229, 1240–1242 (Fed. Cir. 2016).

<sup>6</sup> *Intellectual Ventures I LLC v. Symantec Corp.*, 838 F.3d 1307, 1313, 1315 (Fed. Cir. 2016) (internal citations omitted).

<sup>7</sup> *In re TLI Commc’ns LLC Patent Litig.*, 823 F.3d 607, 612 (Fed. Cir. 2016).

<sup>8</sup> The court also considered “retaining information” to constitute “well-understood, routine, conventional activities previously known.” *Internet Patents Corp. v. Active Network, Inc.*, 790 F.3d 1343, 1348 (Fed. Cir. 2015) (internal quotation and citation omitted).

<sup>9</sup> *Content Extraction and Transmission LLC v. Wells Fargo Bank, Nat’l Assoc.*, 776 F.3d 1343, 1347, 1348 (Fed. Cir. 2014).



“using [data] as an exchange or currency”;<sup>10</sup> claims drawn to “receiving” and/or “processing” data and “creating” a “contractual relationship”;<sup>11</sup> and claims drawn to “generating” data and/or “combining” data is to be deemed “so abstract and sweeping” as to be “not patent eligible under section 101,”<sup>12</sup>

In summary, the Federal Circuit instructs us that claims are to be deemed unpatentable as directed to “abstract ideas” under 35 U.S.C. § 101 if the claims recite no more than manipulating data that may include any of classifying, collecting, combining, communicating, creating, customizing, displaying, extracting, facilitating display of, filtering, generating, manipulating, offering, presenting, processing, receiving, recognizing, restricting access to, retaining, retrieving, searching, selecting, storing, transmitting, updating, or using as an exchange or currency (or any other similar action taken with respect to data).

In the present matter, claim 1 is directed to a method comprising storing “reward accounts” (i.e., data) on a computer, exchanging a quantity of “reward points” (i.e., data) between “reward accounts” by “converting” a quantity of reward points (i.e., data) from one type into another type, adding an amount of “reward points” (i.e., data), combining amounts of “reward points” (i.e., data), and receiving “consideration” from a computer (i.e.,

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<sup>10</sup> *Ultramercial, Inc. v. Hulu, LLC*, 772 F.3d 709, 714–716 (Fed. Cir. 2014)

<sup>11</sup> *buySAFE, Inc. v. Google, Inc.*, 765 F.3d 1350, 1354–55 (Fed. Cir. 2014).

<sup>12</sup> *Digitech Image Tech, LLC v. Electronics for Imaging, Inc.*, 758 F.3d 1344, 1351 (2014) (internal quotation and citation omitted).

data). Hence, claim 1 recites manipulating data that includes storing, exchanging, converting, adding, combining, accepting, and receiving data.

We agree with the Examiner that the recitations of “storing,” “combining,” and “receiving” data, according to our reviewing court(s), is to be considered to be unpatentable under 35 U.S.C. § 101. In addition, we agree with the Examiner that any of the other claimed actions to be performed on data (e.g., “exchanging,” “converting,” “adding,” “accepting,” “communicating”) is sufficiently similar to at least one of the actions performed on data explicitly held to constitute an “abstract idea” for purposes of 35 U.S.C. § 101 by our reviewing courts. *See* previous discussion, *supra*. Therefore, we agree with the Examiner, in accordance with guidance from our reviewing courts, that the claims in the present matter recite an “abstract idea” without significantly more in the context of 35 U.S.C. § 101 and are, therefore, unpatentable as being directed to non-statutory subject matter.

The Supreme Court in *Alice Corp.* further cautions that we must “tread carefully in construing this exclusionary principle lest it swallow all of patent law” because “[a]t some level, ‘all inventions . . . embody, use, reflect, rest upon, or apply . . . abstract ideas.’” *Alice*, 134 S. Ct. at 2354 (citing *Mayo Collaborative Svcs. v. Prometheus Labs, Inc.*, 132 S. Ct. 1289, 1293–1294). In order to prevent “swallow[ing] all of patent law,” we must “distinguish between patents that claim the ‘buildin[g] block[s]’ of human ingenuity and those that integrate the building blocks into something more

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. . . thereby ‘transform[ing] them into a patent-eligible invention.’ *Alice*, 134 S. Ct. at 2354 (internal citation omitted).

In this regard, the Supreme Court in *Alice* informs us that a claimed invention that is deemed to constitute an “abstract idea” may be determined to be patent eligible if that “abstract idea” is “used . . . in a process designed to solve a technological problem in ‘conventional industry practice’” and “improve[s] an existing technological process.” *Alice*, 134 S. Ct. at 2358 (citing *Diamond v. Diehr*, 450 U.S. 175 (1981)). The Supreme Court further informs us that “the mere recitation of a generic computer cannot transform a patent-ineligible abstract idea into a patent-eligible invention.” *Alice*, 134 S. Ct. at 2358.

In the present matter, as previously discussed, the claims are directed to a method that is performed by a computer, the method comprising storing data (i.e., “reward accounts”) on a computer, exchanging data (i.e., a quantity of “reward points”), converting data (i.e., a quantity of “reward points”), adding data (i.e., an amount of “reward points”), combining data (i.e., amounts of “reward points”), and receiving data (i.e., “consideration”) from a computer. In other words, the claims merely recite a generic computer for performing the “abstract idea.” *See also* Final Act. 26. Because the Supreme Court, as noted above, has held that recitation of a generic computer is insufficient to transform a claimed invention deemed to be an “abstract idea” into a patent-eligible invention, we must conclude that the claimed invention in the present matter is unpatentable under 35 U.S.C.

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§ 101 as an “abstract idea” and execution of the “abstract idea” using a generic computer is insufficient to transform the “abstract idea” into a patent-eligible invention under 35 U.S.C. § 101.

Appellant argues that, in accordance with guidance from the Federal Circuit in *McRO, Inc. v. Bandai Namco Games Am. Inc.*, 837 F.3d 1299 (Fed. Cir. 2016) and *Enfish, LLC v. Microsoft Corp.*, 822 F.3d 1327 (Fed. Cir. 2016), the claims in the present matter do not constitute “abstract ideas” in the context of 35 U.S.C. § 101. In particular, Appellant argues that “Patent Owner has not simply claimed a general process of conversion of [data] of one type to [data] of a second type as alleged by the Examiner” but, instead, “has set forth in the claims a specific, limited, and detailed invention that is so much more [than] the fundamental currency exchange as alleged by the Examiner.” App. Br. 13–14. Appellant proceeds to reproduce portions of claim 1 and summarize other portions of claim 1. App. Br. 14–15. Appellants’ summarization and restatement of claim 1 is unavailing. While Appellant broadly asserts that claim 1 recites “so much more [than]” manipulation of data, Appellant’s recapitulation of claim 1 fails to demonstrate persuasively any specific detail recited in claim 1 that would indicate that claim 1 recites something “more than” an abstract idea for purposes of 35 U.S.C. § 101, in accordance with recent guidance from our reviewing courts, much less that the alleged additional recited feature(s) are sufficient either to remove the claimed “abstract idea” from the realm of non-statutory subject matter under 35 U.S.C. § 101 (i.e., “abstract ideas”) in

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accordance to guidance from our reviewing courts or to transform the “abstract idea” into patent-eligible subject matter.

Appellant also argues that even if claim 1, for example, recites no more than an “abstract idea” in the context of 35 U.S.C. § 101, “the claims pass part two of the Alice test and are thus patent-eligible.” App. Br. 15. In particular, Appellant argues that the present claims “are similar in nature and context to those found eligible in the Federal Circuit case of DDR Holdings, LLC v. Hotels.com, 773 F.3d 1245, 113 USPQ2d (BNA) 1097 (Fed Cir. 2014)” because “the claims in DDR Holdings were directed to solving the Internet-centric problem of retaining website visitors” and “addressed a challenge ‘particular to the Internet,’ which was retaining control over the attention of the customer in the context of the Internet.” App. Br. 18. We are not persuaded by Appellant’s argument.

Appellant only broadly asserts that claims directed to solving a “problem of retaining website visitors” and “retaining control over the attention of the customer” in *DDR Holdings* are somehow “similar in nature and context” to claims in the present matter that are directed to storing “rewards” data on a computer and “converting” a quantity of the “rewards” data from one type to another type and “adding” and “combining” the resultant data. *Id.* Yet, Appellant does not point out any specific similarity, relevant to the question of patentability under 35 U.S.C. 101, between storing, converting, adding, and combining data (as presently claimed) and “retaining website visitors” or “retaining control of the attention of the

customer” as claimed in *DDR Holdings*. Indeed, we do not observe any meaningful similarity between the two seemingly unrelated, claimed inventions, much less sufficient similarity to conclude that the presently claimed invention is sufficient to “transform a patent-ineligible abstract idea into a patent-eligible invention.” *Alice*, 134 S. Ct. at 2358.

Appellant also argues that the presently claimed invention is a patent-eligible invention under 35 U.S.C. § 101, in accordance with guidance from our reviewing courts as set forth in *DDR Holdings*, because, according to Appellant, the claims “address business challenges that are particular to the Internet,” “are rooted in computer technology since it addresses the near simultaneous decrease of points on one account, conversion and increase/combination of points in second account,” and recite “a series of detailed, specific steps that must be carried out in order . . . to provide the near simultaneous decrease of points on one account, conversion and increase/combination of points in second account - and thus the instant reconciliation and synchronization of reward point accounts.” App. Br. 19–21.

We disagree with Appellant’s implied assertions, based on the holding in *DDR Holdings*, that all claims that “address business challenges that are particular to the Internet,” “are rooted” in computer technology, or “recite[] a series of detailed, specific steps that must be carried out in order” (including claims that recite “abstract ideas,” as that term is interpreted by our reviewing courts) must be deemed to be patentable under 35 U.S.C.

§ 101. Indeed, we do not identify, nor does Appellant point out, that *DDR Holdings* provides such guidance at all. We further refer to the Examiner’s finding concerning *DDR Holdings* and the claims at issue. Final Act. 20–23.

Rather, in *DDR Holdings*, claims that “address[ed] the problem of retaining website visitors that, if adhering to the routine, conventional functioning of Internet hyperlink protocol, would be instantly transported away from a host’s website after ‘clicking’ on an advertisement and activating a hyperlink.” *DDR Holdings*, 773 F.3d at 1257. In that case, the court held that the claims pass muster under 35 U.S.C. § 101 because the claims recited that “the visitor is no longer transported to [a] website [as expected, but] . . . [i]nstead . . . call for . . . direct[ing] the visitor to an automatically-generated hybrid web page that combines visual ‘look and feel’ elements from the host website and product information from the third-party merchant’s website related to the clicked advertisement.” *Id.*

In the present case and as previously discussed, the claims are directed to storing data pertaining to reward points and exchanging a quantity of reward points of a first type for a second type responsive to a request from a user. The claims do not recite “transporting” a visitor anywhere, much less to a “hybrid web page that combines visual ‘look and feel’ elements.” *See id.* Hence, the claims in the present matter are directed to unrelated subject matter. We disagree with Appellant that our reviewing court’s analysis of claims to subject matter that is unrelated to that of the present claims is somehow applicable in the present matter.

Viewing *DDR Holdings* more broadly as potentially standing for the proposition that claims that recite an “abstract idea” are, nevertheless, considered to be patentable under 35 U.S.C. § 101 if the claims in question recite performing an action on the Internet that provides a result that differs from what would be expected by those of skill in the art based on known prior performance of the same claimed action (i.e., in the claims of *DDR Holdings*, upon selection of a hyperlink, a user is transported to a website that is different from the website to which a user would expect to be transported), we note that claim 1 does not recite the “Internet.” Even assuming that claim 1 recites the “Internet,” Appellant does not point out what specific feature recited in claim 1 would constitute a result that would have been unexpected by one of skill in the art. For example, as previously discussed, claim 1 merely recites the expected and predictable result of exchanging types of reward points between accounts based on a request from a user to do so. One of skill in the art requesting to exchange reward points between accounts would have expected the system to exchange the reward points as requested. In contrast, with the possible interpretation of the claims in *DDR Holdings*, as arguably described by the Federal Circuit, the claims in the present matter recite actions that provide *expected* results and not *unexpected* results.

Appellant does not suggest an alternative perspective of the holding in *DDR Holdings* that would demonstrate persuasively that the claims in the present case are patentable under 35 U.S.C. § 101 in accordance with



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guidance from our reviewing courts. Hence, we cannot agree with Appellant's assertion.

Appellant argues that the present claims are patentable under 35 U.S.C. § 101 because, based on the holding of the Federal Circuit in *Bascom Global Internet Services, Inc. v. AT&T Mobility LLC*, 827 F.3d 1341 (Fed. Cir. 2016) and *McRO, Inc. v. Bandai Namco Games Am. Inc.*, 837 F.3d 1299 (Fed. Cir. 2016), “claims [that] did not pre-empt all use of the claimed abstract idea . . . passed the second part of the Alice test.” App. Br. 24.

We disagree with Appellant's contention that either *Bascom* or *McRO* stands for the proposition that all claims directed to “abstract ideas,” as that term has been interpreted by our reviewing courts, are, nevertheless, considered to be patentable under 35 U.S.C. § 101 if the claims do not “pre-empt all use of the claimed abstract idea.” *Id.*

In *McRO LLC*, the court held that claims that recite “a specific asserted improvement in computer animation” are patentable under 35 U.S.C. § 101 because the court determined that such claims “go[] beyond merely ‘organizing . . . information into a new form’” (*McRO Inc.*, 837 F.3d at 1314–15) (internal citation omitted) and not because the claims do not pre-empt all use of the claimed abstract idea. Indeed, the court explicitly stated that “we have recognized that ‘the absence of complete preemption does not demonstrate patent eligibility.’” *McRO Inc.*, 837 F.3d at 1315 (citing *Ariosa Diagnostics, Inc. v. Sequenom, Inc.*, 788 F.3d 1371, 1379 (Fed. Cir. 2015)).

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In *Bascom*, the court held that claims that recite a “filtering system” that executes an “associated filtering scheme” (*Bascom Global Internet Services, Inc.*, 827 F.3d at 1345) to be an “abstract idea” (*id.* at 1348) that is, nevertheless, patentable under 35 U.S.C. § 101 because, according to the Federal Circuit, the claims in that case recite an “ordered combination of the limitations” including “the installation of a filtering tool at a specific location, remote from the end-users, with customizable filtering features specific to each end user.” *Id.* at 1348–1349. We do not identify a discussion by the Federal Circuit in *Bascom* that would support Appellant’s contention that the claims in *Bascom* were considered by our reviewing court to be patentable under 35 U.S.C. § 101 because the claims in question supposedly do not “pre-empt all use of the claimed abstract idea.” App. Br. 24.

Appellant also argues that the present claims are patentable under 35 U.S.C. § 101 because, in contrast to the holding of the Federal Circuit in *Planet Bingo LLC v. VKGS LLC*, 576 F. App’x 1005 (Fed Cir. 2014), the claims in the present matter, according to Appellant, are “not a simple application of a few mental steps that can be performed in the human mind.” App. Br. 25. We note that in *Planet Bingo*, our reviewing court held that the claims were *unpatentable* under 35 U.S.C. § 101. Although the Federal Circuit agreed with the District Court that the claims in *Planet Bingo* “consists solely of mental steps which can be carried out by a human using pen and paper” (*Planet Bingo LLC*, 576 F. App’x at 1007), Appellant does

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not indicate that the Federal Circuit also held that the converse is also true, i.e., that all claims that recite subject matter that is “not a simple application of a few mental steps that can be performed in the human mind” are patentable under 35 U.S.C. § 101.

#### SUMMARY

We affirm the Examiner’s rejection of claim 1–3, 6–9, and 12 under 35 U.S.C. § 101.

AFFIRMED